

ASSEMBLY BILL

No. 1406

Introduced by Assembly Member Huffman

February 23, 2007

An act to amend Section 13553 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1406, as introduced, Huffman. Recycled water: toilet and urinal flushing.

Existing law requires the State Department of Public Health to establish uniform statewide criteria for each varying type of recycled water use if the use involves the protection of public health. Existing law declares that the use of potable domestic water for toilet and urinal flushing in structures, as defined, is a waste or an unreasonable use of water if suitable recycled water is available for those uses. Existing law generally authorizes a public agency to require the use of recycled water for toilet and urinal flushing in structures if certain requirements are met.

This bill would include condominiums within the meaning of “structure” for the purposes of those provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13553 of the Water Code is amended to
- 2 read:
- 3 13553. (a) The Legislature hereby finds and declares that the
- 4 use of potable domestic water for toilet and urinal flushing in

1 structures is a waste or an unreasonable use of water within the
2 meaning of Section 2 of Article X of the California Constitution
3 if recycled water, for these uses, is available to the user and meets
4 the requirements set forth in Section 13550, as determined by the
5 state board after notice and a hearing.

6 (b) The state board may require a public agency or person
7 subject to this section to furnish ~~whatever~~ any information *that*
8 may be relevant to making the determination required in
9 subdivision (a).

10 (c) For the purposes of this section and Section 13554,
11 “structure” or “structures” means commercial, retail, and office
12 buildings, theaters, auditoriums, *condominiums*, schools, hotels,
13 apartments, barracks, dormitories, jails, prisons, and reformatories,
14 and other structures as determined by the State Department of
15 ~~Health Services~~ *Public Health*.

16 (d) Nothing in this section or Section 13554 applies to a pilot
17 program adopted pursuant to Section 13553.1.